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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,865	Herbert Wehler	10016.509

Jeffrey W Smith  
 Smith Law Office  
 Suite 302  
 440 Science Drive  
 Madison, WI 53711

RECEIVED

JUN 21 2008

SMITH LAW OFFICE

INTERNATIONAL APPLICATION NO.

PCT/EP04/10961

LA. FILING DATE	PRIORITY DATE
10/01/2004	10/08/2003

CONFIRMATION NO. 5532  
 371 ABANDONMENT/TERMINATION  
 LETTER



Date Mailed: 06/17/2008

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 02/26/2007 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

**Smith Law Office**  
Intellectual Property Law

**FAX TRANSMITTAL**

<b>To:</b>	Terry M. Johnson Vessels	<b>From:</b>	Jeffry W. Smith
<b>Company:</b>	UNITED STATES PATENT & TRADEMARK OFFICE	<b>Pages:</b>	16
<b>Fax:</b>	571-270-9973	<b>Date:</b>	Monday, June 23, 2008
<b>Re:</b>	U.S. Application No. 10/574,865		

**Comments:**

University Research Park, 440 Science Drive, Suite 302, Madison, Wisconsin 53711  
Phone: 608-663-8200 Facsimile: 608-663-8207

PTO/SB/21 (01-08)

Approved for use through 06/30/2008. OMB 0651-0031

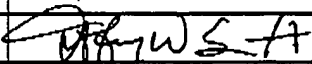
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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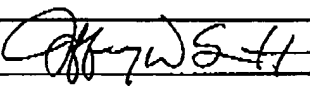
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/574,865
	Filing Date	October 1, 2004
	First Named Inventor	Herbert Wehler
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	10016.509

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notification of Abandonment (14pp)
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	SMITH LAW OFFICE		
Signature			
Printed name	Jeffrey W. Smith		
Date	June 23, 2008	Reg. No.	33455

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jeffrey W. Smith	Date	June 23, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION

## In the United States Patent and Trademark Office

Applicant: Wehler et al.  
Docket No.: 10016.509  
Date: June 23, 2008  
Application No.: 10/574,865  
Int'l Filing Date: October 1, 2004  
Art Unit:  
Examiner:

FOR: LINK PLATE, CHAIN LINK, ENERGY GUIDING CHAIN, AND  
INTERMEDIATE PIECE FOR AN ENERGY GUIDING CHAIN, PROVIDED  
WITH LOCKING MEANS COUPLED BY TORSION FOR CONNECTING A  
FLIGHT TO A LINK PLATE

**Certificate of Facsimile**

I hereby certify that this  
correspondence is being sent via  
facsimile addressed to:  
Attn: Terry M. Johnson Vessels  
United States Patent &  
Trademark Office  
Facsimile No.: 571-270-9973

On June 23, 2008  
Signature Jeffrey W. Smith  
Jeffrey W. Smith, Reg. No. 33455  
Name of Applicant, assignee or  
Registered Representative

**RESPONSE TO NOTIFICATION OF ABANDONMENT**

**Attn: Terry M. Johnson Vessels**  
United States Patent &  
Trademark Office

Dear Sir:

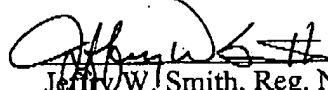
This is in response to a June 17, 2008 Notification of Abandonment received in the above-referenced application. (Copy attached.) The Notification of Abandonment states, "Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 02/26/2007 within the time period set therein."

Applicants received a Notification of Missing Requirements dated February 26, 2007 to which a response was timely filed on March 2, 2007. (A copy of the March 2, 2007 response papers and stamped acknowledgment postcard are also attached.) Applicants believe that this application should not have gone abandoned as all requirements were fulfilled and filed on time.

Applicant: Wehler et al.  
Application No.: 10/574,865

Applicants respectfully request that the March 2, 2007 missing requirements response be considered and that the Notification of Abandonment be withdrawn.

Respectfully submitted,

  
Jeffrey W. Smith, Reg. No. 33455  
Attorney for Applicant  
SMITH LAW OFFICE  
440 Science Drive, Suite 302  
Madison, WI 53711  
(608) 663-8200



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Date Accepted 3/2/07	Scheduled Date of Delivery Month 3 Day 5	Return Receipt Fee \$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Month 3 Day 07 Year 2007	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee Insurance Fee \$ \$	Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time Accepted 2:15 PM	Military <input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 14.40			
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10016.509					
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IAP15 Rec'd PCT/PTO 02 MAR 2007

In the United States Patent and Trademark Office

Applicant Docket No. Date Mailed  
Wehler et al. 10016.509 March 2, 2007

For: Link Plate, Chain Link, Energy Guiding Chain, and Intermediate Piece for an Energy Guiding Chain, Provided with Locking Means Coupled by Torsion for Connecting a Flight to a Link Plate

Application No.: 10/574,865

Honorable Commissioner for Patents and Trademarks:

Please acknowledge receipt of the following: \* Express Mail Letter (1p) \* Check in the amount of \$130.00 \* PTO/SB 21 (1p) \* PTO/SB 17 (1p) and 1 copy \* Copy of Notification of Missing Requirements (2pp) \* Transmittal of Missing Requirements (2pp) and 1 copy \* Executed Combined Declaration and Power of Attorney (3pp)

  
W. Smith, Reg. No. 33455

EXPRESS MAIL LETTER

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wehler et al.

Int'l Filing Date: October 1, 2004

Application No.: 10/574,865

For: LINK PLATE, CHAIN LINK, ENERGY GUIDING CHAIN, AND INTERMEDIATE  
PIECE FOR AN ENERGY GUIDING CHAIN, PROVIDED WITH LOCKING MEANS  
COUPLED BY TORSION FOR CONNECTING A FLIGHT TO A LINK PLATE

Docket No.: 10016.509

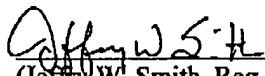
Express Mail No.: EV915460691US **EV915460691US**

Date of Deposit: March 2, 2007

I hereby certify that these attached documents

- Response postcard
- Check in the amount of \$130.00
- PTO/SB 21 (1p)
- PTO/SB 17 (1p) and 1 copy
- Copy of Notification of Missing Requirements (2pp)
- Transmittal of Missing Requirements (2pp) and 1 copy
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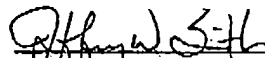
are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 35 C.F.R. §1.10 on the date indicated above and is addressed to the *Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450*



(Jeffrey W. Smith, Reg. No. 33455)

Enclosed for filing please find the above-referenced documents. Please indicate receipt of these documents by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.

Respectfully submitted,



Jeffrey W. Smith, Reg. No. 33455

Attorney for Applicant

SMITH LAW OFFICE

440 Science Drive, Suite 302

Madison, WI 53711

(608) 663-8200

PTO/SB/21 (08-08)

Approved for use through 03/31/2007. OMB 0651-0031

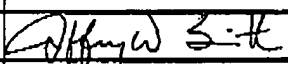
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/574,665
	Filing Date	October 1, 2004
	First Named Inventor	Harbert Wehler
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	10016.509

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notification of Missing Requirements (2pp)
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	SMITH LAW OFFICE		
Signature			
Printed name	Jeffrey W. Smith		
Date	March 27, 2007	Reg. No.	33455

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature:			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/8B/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/03/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2007****Complete if Known**

Application Number	10/574,865
Filing Date	October 1, 2004
First Named Inventor	Herbert Wehler
Examiner Name	
Art Unit	
Attorney Docket No.	10016.509

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

**METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-2911 Deposit Account Name: SMITH LAW OFFICE

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>		
Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

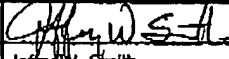
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late filing surcharge

130.00

**SUBMITTED BY**

Signature		Registration No. 33455 (Attorney/Agent)	Telephone 608-663-8200
Name (Print/Type)	Jerry W. Smith	Date	March 2, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,865	Herbert Wehler	10016.509

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP04/10961

I.A. FILING DATE	PRIORITY DATE
10/01/2004	10/08/2003

Jeffrey W Smith  
Smith Law Office  
Suite 302  
440 Science Drive  
Madison, WI 53711

RECEIVED

MAR - 1 2007

SMITH LAW OFFICE

CONFIRMATION NO. 5532

371 FORMALITIES LETTER



\*OC000000022649409\*

Date Mailed: 02/26/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Preliminary Amendments filed on 04/06/2006
- Request for Immediate Examination filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006
- Priority Documents filed on 04/06/2006

ACTION: Missing Requirements  
DUE DATE: 4/26/07  
ENTERED: 3/2/07  
BY: *adm*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,865	PCT/EP04/10961	10016.509

FORM PCT/DO/EO/905 (371 Formalities Notice)

**PATENT APPLICATION**

In the United States Patent and Trademark Office

Applicant: Wehler et al.

Docket No.: 10016.509

Date: March 2, 2007

Application No.: 10/574,865

Int'l Filing Date: October 1, 2004.

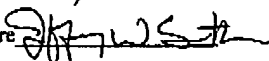
Art Unit:

Examiner:

For: LINK PLATE, CHAIN LINK, ENERGY GUIDING CHAIN, AND  
INTERMEDIATE PIECE FOR AN ENERGY GUIDING CHAIN, PROVIDED WITH  
LOCKING MEANS COUPLED BY TORSION FOR CONNECTING A FLIGHT TO A  
LINK PLATE

**Certificate of Mailing**

I hereby certify that this  
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to: Mail Stop Missing Parts,  
Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450

On March 2, 2007Signature 

Jeffrey W. Smith, Reg. No. 33455  
Name of Applicant, assignee or  
Registered Representative

**TRANSMITTAL OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed February 26, 2007,  
enclosed are the following items in the above-referenced U.S. patent application:

1. A Combined Declaration and Power of Attorney, executed by the Applicants on May 18, 2006, May 19, 2006, and May 22, 2006.
2. Copy of Notification of Missing Requirements under 35 U.S.C. §371.
3. A check in the amount of \$130.00 to cover the surcharge set forth in 37 C.F.R. §1.492(h).

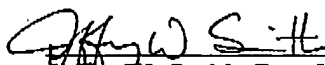
Applicant: Wehler et al.  
Application No.: 10/574,865

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-2911.

A duplicate copy of this document is enclosed.

Having now complied with all the requirements of 37 C.F.R. §371, Applicants respectfully request that this application be placed upon the files for examination.

Respectfully submitted,



Jeffrey W. Smith, Reg. No. 33455  
Attorney for Applicant  
SMITH LAW OFFICE  
440 Science Drive, Suite 302  
Madison, WI 53711  
(608) 663-8200